

(12)

THE
DECLARATION
OF THE
Lords and Commons,

In Parliament assembled,

Concerning His MAIES TIES
severall Messages about the
MILITIA.

Jovis 5. Maii. 1642.

Ordered by the Lords and Commons assembled in Parliament, that this Declaration shall be forthwith printed and published.

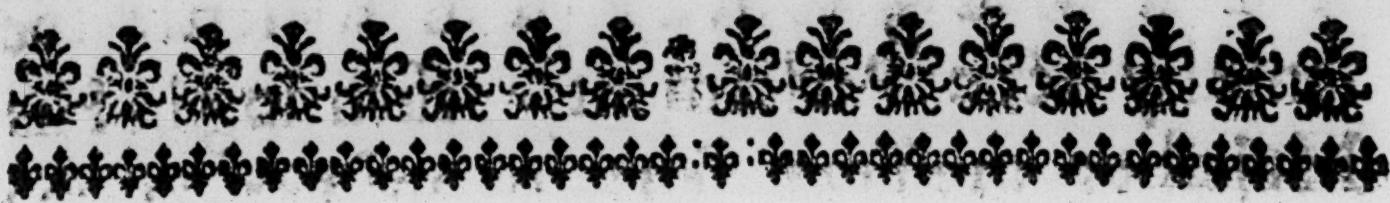
Io. Browne Cleric.
Parliamentorum. 7

LONDON,

Printed for John Wright, and are to be sold
in Little Old-Baily.



1000
1000



Die Fovis 5. Maii 1642.



The Lords and Commons holding it necessary for the peace and safety of this Kingdome to settle the Militia thereof, did for that purpose prepare an Ordinance of PARLIAMENT, and withall humilitie did present the same to His Majesty for His Royall assent, Who notwithstanding the faithfull advice of His Parliament, and the severall reasons offered by them of the necessitie thereof, for the securing of his Majesties Person, and the peace and safety of his people, did refuse to give His consent, and thereupon they were necessitated, in discharge of the truest reposed in them as the representative body of the Kingdome to make an Ordinance by Authority of both Houses, to settle the Militia, warranted thereunto by the fundamental Lawes of the Land.

His Majesty taking notice thereof, did by

A 2

severall

severall Messages invite them to settle the
same by Act of Parliament, affirming in His
Majesties message sent in answer to the
Petition of both Houses presented to his
Majesty at Yorke, March 26. That he alwayes
thought it necessary the same should bee set-
led, and that he never denied the thing, only
denied the way; and for the matter of it, took
exceptions only to the preface, as a thing
not standing with His honour to consent to,
and that Himselfe was excluded in the exe-
cution, and for a time unlimited: Whereupon
the Lords and Commons being desirous to
give His Majesty all satisfaction that might
be, even to the least tittle of forme, and cir-
cumstance; and when His Majesty was plea-
sed to offer them a Bill ready drawn, did for
no other cause than to manifest their hearty
affection to comply with His Majesties de-
sires and obtaine his consent, entertaime the
same; and in the meane time no way decla-
ning their Ordinance, and to expresse their
earnest zeale to correspond with His Majes-
ties desire (in all things that might consist
with the peace and safety of the Kingdome,
and the trust reposed in them) did passe that
Bill

Bill, and therein omitted the preamble inserted before the Ordinance, limited the time to lesse than two yeares, and confined the Authority of the Lieutenants to these three particulars: namely Rebellion, Insurrection, and forraigne Invasion, and returned the same to His Majesty for His royall assent. But all these expressions of affection and loyalty, all those desires and earnest endeavours to comply with His Majesty, hath (to their great griefe and sorrow) produced no better effect then an absolute denyall, even of that which His Majesty by His former Messages, as We conceive, had Promised; the advice of evill and wicked Counsels, receiving still more credit with Him, than that of His great Counsell of Parliament, in a matter of so high importance, that the safety of His Kingdome, and the peace of his people depends upon it. But now what must bee the exceptions to this Bill? not any sure, that was to the Ordinance; for a care was taken to give satisfaction in all these particulars, Then the exception was because that the disposing and execution thereof was referred to both Houses of Parliament, and His

Majesty

Majestie excluded : and now that by the
BILL, the power and execution is asser-
tained, and reduced to particulars and the
Law of the Realme made the rule thereof,
His Majestie will not trust the persons.
The power is too great, too unlimited to trust
them with. But what is that power ? Is it any
other but in expresse termes to suppressre re-
bellion, Insurrection, and forraigne Invasion ?
And who are those persons ? are they not
such as were nominated by the great Councell
of the Kingdome, and assented to by his Ma-
jestie. And is it too great a power to trust
those persons with the suppression of Rebel-
lion, Insurrection, and forraigne Invasion ?
Surely the most wicked of them that advised
His Majestie to this Answer cannot suggest,
but that it is necessary for the safetie of His
Majesties Royall Person and the peace of the
Kingdome, such a power should bee put in
some hands. And there is no pretence of ex-
ception to the Persons. His Majestie for the
space of above fifteene Yeares together,
thought not a power far exceeding this to
bee too great to intrust particular persons
with, to whose will the Lives and Liberties

,

of

of His People by Martiall Lawes were made
subject, for such was the power given to Lord
Lievetenants, and Deputie Lievetenants in
every Countie of this Kingdome, and that
without the consent of his people, or autho-
rity of Law. But now in case of extreame
necessity, upon the advice of both Houses of
Parliament for no longer space then two
yeares , a lesser power, and that for the
safetie of King and people, is thought too
great to trust particular persons with, though
named by both Houses of Parliament, and
approved of by his Majestie himselfe: And
surely if there bee a necessitie to settle the Mi-
litia (which his Majestie was pleased to con-
fesse) the Persons cannot bee intrusted with
lesse power than this to have it all effectuall.
And the Presidents of former Ages when
there hapned a necessitie to raise such a power,
never straighthned that power to a narrower
compasse, witnesse the Commissions of Array
in severall Kings Raignes , and often issued
out by the Consent and Authority of Parlia-
ment. The Lords and Commons therfore in-
trusted with the safety of the Kingdome, and
of peace of the people, (which they call God

to



to witnesse is their onely ayme) finding them-
selves denied these their so necessary; and just
demands, and that they can never be discharg-
ed before God or Man if they should suffer
the safety of the Kingdome and peace of the
people to bee exposed to the malice of, the
malignant party at home, or the fury of ene-
mies from abroad. And knowing no other
way to encounter the imminent & approach-
ing danger, but by putting the people into a
fit posture of defence, doe resolve to put
their said Ordinance in present execution, and
doe require all persons in authority by vertue
of the said Ordinance forthwith to put the
same in execution, and all others to obey it,
according to the fundamentall lawes of the
Kingdome in such cases, as they tender the
upholding of the true Protestant Religion, the
safety of his Majesties person, and his Royall
Posterity, the peace of the kingdome, and the
being of this Commonwealth.

F I N I S.

